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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREGORY OLIVER, II,

Case No. C 07 02460 JL

Plaintiff,

**ADMINISTRATIVE MOTION AND
~~(PROPOSED)~~ ORDER EXTENDING TIME
TO MEET WITH SETTLEMENT JUDGE
AND CONTINUING CASE MANAGEMENT
CONFERENCE**

vs.

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation; HEATHER FONG, in
her capacity as Chief of Police for the CITY
AND COUNTY OF SAN FRANCISCO; JESSE
SERNA, individually, and in his capacity as a
police officer for the CITY AND COUNTY OF
SAN FRANCISCO; and, San Francisco police
officers DOES 1-25, inclusive,

Defendants.

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Pursuant to Local Rule 7-11, the parties file this stipulated motion to continue the date by which the parties are to meet with Magistrate Judge James for settlement conference to June 27, 2008.

The parties request the additional time so that Plaintiff's counsel may take the deposition of Defendant Officer SERNA after the Court has resolved the current discovery dispute between the parties. The parties do not expect any meaningful settlement discussions to occur prior to Defendant

1 Officer SERNA's deposition being taken, which will not occur until Plaintiff's counsel has had an
2 opportunity to review the personnel records as may be ordered disclosed to Plaintiff under a
3 protective order following *in camera* review. Since Defendants have filed a motion to bifurcate
4 *Monell* discovery, which is scheduled to be heard by the Court on May 21, 2008, the parties request
5 leave of the Court to allow the settlement conference to be conducted by June 27, 2008. This
6 schedule will allow Plaintiff's counsel the opportunity to review records that may be ordered
7 disclosed by the Court, if any, following the May 21, 2008 hearing before deposing Defendant
8 Officer SERNA in preparation for the Settlement Conference.
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11 In light of the requested extension, the parties also request that the next Case Management
12 Conference in this case be set to occur following the settlement conference in this matter at a date of
13 the Court's convenience, except the week of July 7, 2008, when Defendants' counsel will be on
14 vacation.
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19 Dated: April 17, 2008

The Law Offices of John L. Burris

21 /s/ Benjamin Nisenbaum

22 Benjamin Nisenbaum
23 Attorney for Plaintiff

25 Dated: April 17, 2008

DENNIS J. HERRERA, City Attorney

27 By: /s/ Scott D. Wiener

28 Scott D. Wiener
Deputy City Attorney

(PROPOSED) ORDER

Pursuant to stipulation, and based on the motion hearing scheduled for May 21, 2008, the Court hereby grants the parties' stipulation and orders that the parties meet with Magistrate Judge James by June 27, 2008 for Settlement Conference. In light of the extension to conduct the Settlement Conference, the Court hereby continues the next Case Management Conference in this matter to July 23, 2008, at 10:30 in this Court.

Dated: April 22, 2008


HONORABLE JAMES LARSON
UNITED STATES MAGISTRATE JUDGE